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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

BUREAU OF NARCOTICS

Under authority of § 6.1 (a) of Executive Order 9830, and at the request of the Treasury Department, the Commission has approved the exception from the competitive service of thirty positions of Narcotic Agent for undercover work. Effective upon publication in the FEDERAL REGISTER, § 6.103 (d) is amended by the addition of a subparagraph as follows:

§ 6.103 *Treasury Department.* * * *

(d) *Bureau of Narcotics.* * * *

(2) Thirty positions of Narcotic Agent for undercover work.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633; E. O. 9830, Feb. 24, 1947, 12 F. R. 1259, 3 CFR, 1947 Supp.; E. O. 9973, June 28, 1948, 13 F. R. 3600, 3 CFR, 1948 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 49-4704; Filed, June 10, 1949; 8:49 a. m.]

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

[Peanut 101, Part II]

PART 729—PEANUTS

MARKETING QUOTA REGULATIONS FOR 1949 CROP OF PEANUTS

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AUTHORITY: §§ 729.40 to 729.70 issued under sec. 375, 52 Stat. 66; 7 U. S. C. 1375; interpret or apply secs. 301, 358, 359, 361-68, 373; 52 Stat. 38, 62, 63, 64, 65, 66; 55 Stat. 88; 59 Stat. 9; 7 U. S. C. and Sup. 1301, 1358, 1359, 1361-68, 1373, 1374, 1375.

GENERAL

§ 729.40 *Basis and purpose.* The regulations contained in §§ 729.40 to 729.70, are issued pursuant to the Agricultural Adjustment Act of 1938, as amended, and govern the determination of peanut acreages, the issuances of marketing cards, the identification of peanuts, the collection and refund of penalties, and the records and reports incident thereto, on the marketing of peanuts of the 1949 and previous crops during the 1949-50 marketing year. Prior to preparing the regulations in §§ 729.40 to 729.70, public notice of their formulation was published in the FEDERAL REGISTER (14 F. R. 991)

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FEDERAL REGISTER

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in accordance with the Administrative Procedure Act (60 Stat. 237). The data, views, and recommendations pertaining to the regulations in §§ 729.40 to 729.70, which were submitted have been duly considered within the limits prescribed by the aforesaid Agricultural Adjustment Act of 1938.

§ 729.41 *Definitions.* As used in §§ 729.40 to 729.70, and any amendments or additions thereto, and in all instructions, forms, and documents in connec-

tion therewith, the words and phrases defined in this section shall have the meanings herein assigned to them unless the context or subject matter otherwise requires.

(a) "Act" means the Agricultural Adjustment Act of 1938, as amended.

(b) "Assistant Administrator" means the Assistant Administrator for Production or the Acting Assistant Administrator for Production of the Production and Marketing Administration of the U. S. Department of Agriculture.

(c) "Buyer" means a person who (1) buys or otherwise acquires any peanuts from a producer, (2) buys or otherwise acquires farmers stock peanuts from any person, or (3), as a commission merchant or broker, markets any peanuts for the account of a producer and who is responsible to the producer for the amount received for the peanuts.

(d) "Committees": (1) "Community committee" means the group of persons elected within a community to assist in the administration of the Agricultural Conservation Program in such community.

(2) "County committee" means the group of persons elected within a county to assist in the administration of the Agricultural Conservation Program in such county.

(3) "State Committee" means the group of persons designated as the State Committee of the Production and Marketing Administration charged with the responsibility of administering Production and Marketing Administration programs within the State.

(e) "Cooperator" means a producer on a farm on which there is no excess acreage.

(f) "Director" means the Director, or the Acting Director, of the Fats and Oils Branch of the Production and Marketing Administration of the United States Department of Agriculture.

(g) "Excess acreage" means the acreage by which the farm peanut acreage exceeds the farm allotment, but there will be no excess acreage if the farm peanut acreage is 1.0 acres or less.

(h) "Farm" means all adjacent or nearby farm land under the same ownership which is operated by one person, including also:

(1) Any other adjacent or nearby farm land which the county committee, in accordance with instructions issued by the Assistant Administrator, determines is operated by the same person as part of the same unit with respect to the rotation of crops and with workstock, farm machinery, and labor substantially separate from that for any other lands; and

(2) Any field-rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county in which the principal dwelling is situated, or if there is no dwelling thereon it shall be regarded as located in the county in which the major portion of the farm is located.

(i) "Farm allotment" means the peanut acreage allotment established for the farm in accordance with §§ 729.10 to 729.25. (13 F. R. 7699-7703.)

(j) "Farm peanut acreage" means the acreage on the farm planted to peanuts in 1949 as determined by the county committee less any such acreage with respect to which it is established by the farm operator or otherwise, to the satisfaction of the county committee, that the entire production thereform has not and will not be picked or threshed either before or after marketing from the farm.

(k) "Farmers stock peanuts" means unshelled and uncleaned peanuts which are in the condition in which peanuts are usually marketed by producers.

(l) "Market" means to dispose of peanuts, including farmers stock peanuts, shelled peanuts, cleaned peanuts, or peanuts in processed form, by voluntary or involuntary sale, barter, or exchange, or by gift inter vivos. The terms "marketed," "marketing," and "for market" shall have corresponding meanings to the term "market" in the connection in which they are used. The terms "barter" and "exchange" shall include the payment by the producer of any quantity of peanuts for the harvesting, picking, threshing, cleaning, crushing, or shelling of peanuts, or for any other service rendered to him by anyone.

(m) "Marketing card":

(1) "Within quota marketing card" means Peanut 109, Within Quota Marketing Card, authorizing the marketing without penalty of peanuts subject to marketing quotas.

(2) "Excess marketing card" means Peanut 110, Excess Marketing Card, showing the extent to which marketings of peanuts from the farm are subject to penalty.

(n) "Marketing year" means the 1949–50 marketing year beginning August 1, 1949, and ending July 31, 1950.

(o) "Operator" means the person who is in charge of the supervision and conduct of the farming operations on the entire farm.

(p) "Peanuts" means all peanuts produced, excluding any peanuts which were not picked or threshed either before or after marketing from the farm.

(q) "Peanuts subject to marketing quotas" means any peanuts produced during the calendar year 1949 whether marketed in 1949 or later.

(r) "Person" means an individual, partnership, association, corporation, estate or trust, or other business enterprise or other legal entity, and wherever applicable, a State, a political subdivision of a State, or any agency thereof.

(s) "Producer" means a person who, as owner, landlord, tenant or sharecropper, is entitled to share in the peanuts subject to marketing quotas from the farm, or in the proceeds thereof.

(t) "Pound" means that quantity of farmers stock peanuts equal to one pound standard weight. If shelled peanuts are marketed, the poundage thereof shall be converted to the weight of farmers stock peanuts by multiplying the number of pounds of shelled peanuts by 1.5, and the result shall be the number of pounds considered as marketed under these regulations.

(u) "Record of resale" means Peanut 112, Record of Resale of Farmers Stock Peanuts used to record and report resales of farmers stock peanuts between buyers.

(v) "Record of sale without marketing card" means Peanut 111, Record of Sale without Marketing Card, used to record and report data with respect to peanuts marketed without a marketing card.

(w) "Report of peanuts shelled for producers" means Peanut 115, Report of Peanuts Shelled for Producers, used to record and report data with respect to peanuts shelled for or by producers.

(x) "Secretary" means the Secretary, or the Acting Secretary, of Agriculture of the United States.

§ 729.42 *Instructions and forms.* The Director, with the approval of the Assistant Administrator, shall cause to be prepared and issued such instructions and forms as may be deemed necessary for carrying out the regulations in §§ 729.40 to 729.70.

§ 729.43 *Extent of calculations and rule of fractions.* (a) The farm peanut acreage shall be expressed in tenths, and fractions of less than one-tenth of an acre shall be dropped.

(b) The percentage of excess peanuts, hereinafter referred to as the "percent excess," shall be expressed in tenths of a percent and fractions of less than one-tenth shall be dropped.

(c) The amount of penalty per pound upon marketings of peanuts subject to penalty as prescribed in § 729.56, hereinafter referred to as the "converted penalty rate," shall be expressed in tenths of a cent and fractions of less than a tenth shall be dropped.

(d) Notwithstanding the provisions of paragraphs (b) and (c) of this section, the minimum converted penalty rate for a farm having any excess acreage shall be one-tenth of a cent.

IDENTIFICATION AND MEASUREMENT OF FARMS

§ 729.44 *Identification of farms.* Each farm as operated for the 1949 crop of peanuts shall be identified by a farm serial number assigned by the county committee.

§ 729.45 *Measurement of farms.* The county committee shall provide for measuring peanut farms in the county in accordance with instructions issued by the Assistant Administrator.

FARM MARKETING QUOTAS AND MARKETING CARDS

§ 729.46 *Amount of farm marketing quota.* (a) The farm marketing quota for a farm having no excess acreage shall be the actual production of peanuts of the farm peanut acreage.

(b) The farm marketing quota for a farm having excess acreage shall be a quantity of peanuts equal to the average yield per acre times the farm allotment. The average yield per acre shall be the number of pounds obtained by dividing the actual production of peanuts for the farm by the farm peanut acreage.

§ 729.47 *Marketing quotas not transferable.* Farm marketing quotas are not

transferable in whole or in part from one farm to another farm; and peanuts produced on one farm shall not be marketed under the marketing card issued for another farm.

§ 729.48 *Issuance of marketing cards.* A marketing card shall be issued in accordance with paragraph (a) or (b) of this section to the operator of each farm having peanuts subject to marketing quotas and, if the county committee finds it will serve a useful purpose, additional marketing cards may be issued for such farm. All entries on each marketing card shall be made in accordance with the instructions for issuing marketing cards. Upon the return to the office of the county committee of the marketing card after the memoranda of sale have been issued therefrom and before the marketing of peanuts from the farm has been completed, a new marketing card of the same kind, bearing the same name, information, and identification as the used card shall be issued for the farm. A new marketing card of the same kind shall be issued to replace a card which has been determined by the county committee to have been lost, destroyed, or stolen.

(a) *Within quota marketing card.* A within quota marketing card (Peanut 109) authorizing the marketing without penalty of the peanuts subject to marketing quotas shall be issued for a farm under any one of the following conditions:

(1) If the farm has no excess acreage.

(2) If payment of any penalty that may be due is secured as prescribed in § 729.60.

(3) If the peanuts were grown only for experimental purposes on land owned or leased by a publicy owned agricultural experiment station and are produced at public expense by employees of the experiment station, or if the peanuts were produced by farmers pursuant to an agreement with a publicly owned experiment station whereby the experiment station bears the costs and risks incident to the production of the peanuts and the proceeds from the crop inure to the benefit of the experiment station: *Provided,* That such agreement is approved by the State committee prior to the issuance of a marketing card for the farm.

(4) If peanuts from a crop prior to 1949 are to be marketed during the 1949–50 marketing year, in which case the quantity of such peanuts for which the card is issued will be indicated thereon.

(b) *Excess marketing card.* An excess marketing card (Peanut 110), showing the extent to which marketings of peanuts from a farm are subject to penalty, shall be issued unless a within quota card is required to be issued under paragraph (a) of this section. If the farm operator fails to disclose or otherwise furnish, or prevents the county committee from obtaining any information necessary to the issuance of the correct marketing card, an excess marketing card shall be issued showing that all peanuts from the farm are subject to the rate of penalty as prescribed in § 729.56.

§ 729.49 *Person authorized to issue cards.* The county committee shall designate one person to sign marketing cards for farms in the county as issuing officer. The issuing officer may, subject to the approval of the county committee, designate not more than three persons to sign his name in issuing marketing cards: *Provided,* That each such person shall place his initials immediately beneath the name of the issuing officer as written by him, or stamped on the card.

§ 729.50 *Rights of producers in marketing cards.* Each producer having a share in the peanuts marketed from a farm shall be entitled to the use of the marketing card for marketing his proportionate share.

§ 729.51 *Successors in interest.* Any person who succeeds in whole or in part to the share of a producer in the peanuts marketed from a farm shall, to the extent of such succession, have the same rights as the producer to the use of the marketing card for the farm.

§ 729.52 *Invalid cards.* A marketing card shall be invalid if:

(a) It is not issued or delivered in the form and manner prescribed;

(b) Entries are omitted, incorrect, contradictory, or illegible;

(c) It is lost, destroyed, or stolen;

(d) Any erasure or alteration has been made, and not properly initialed; or

(e) The converted penalty rate on the inside front cover of an excess marketing card (Peanut 110) has been altered.

In the event any marketing card becomes invalid (other than by loss, destruction, or theft) the farm operator, or the person having the card in his possession, shall return it to the county office from which it was issued. In case any marketing card is lost, destroyed or stolen, the producer to whom the card was issued or any other person having knowledge of such loss, destruction, or theft shall give written notice to the county office from which the card was issued.

If an entry is not made on a marketing card as required, either through omission or incorrect entry, and the proper entry is later made and properly initialed, then such card shall become valid; or if the invalid card is not made valid in this manner, it shall be cancelled and a new card issued in its place.

§ 729.53 *Report of misuse of marketing card.* Any information which causes a member of a State, county, or community committee, or an employee of a State or county committee, to believe that any peanuts which actually were produced on one farm have been or are being marketed under the marketing card issued for another farm shall be reported immediately by such person to the County Committee or State Committee.

MARKETING OR OTHER DISPOSITION OF PEANUTS AND PENALTIES

§ 729.54 *Extent to which marketings from a farm are subject to penalty.* (a) The marketing of peanuts in excess of the farm marketing quota for any farm shall be subject to a penalty at the rate prescribed in § 729.56. The penalty shall be paid on each lot of peanuts marketed from the farm in an amount equal to the converted penalty rate multiplied by the number of pounds in the lot. The converted penalty rate shall be determined as follows:

(1) Determine the percentage excess for the farm by dividing the excess acreage for the farm by the farm peanut acreage.

(2) Determine the converted penalty rate by multiplying the percentage excess by the rate of penalty prescribed in § 729.56.

(b) Any peanuts produced on a farm prior to 1949 may be marketed free of penalty under a within quota marketing card on which the issuing officer has approved the marketing of a specific quantity of peanuts of a crop prior to 1949; otherwise such peanuts shall be subject to the same penalty as peanuts subject to marketing quotas.

§ 729.55 *Identification of marketings.* (a) Each marketing of peanuts from a farm shall be recorded by the buyer or his representative on the marketing card (Peanut 109 or Peanut 110) issued for the farm on which the peanuts were produced, and identified by an executed memorandum of sale from such marketing card; or each marketing without a marketing card shall be recorded on a memorandum of sale without marketing card (Peanut 111) and all such peanuts shall be subject to the penalty rate prescribed in § 729.56.

(b) Each marketing of farmers' stock peanuts by any buyer which such buyer represents to be a resale shall be recorded by the buyer or his representative purchasing the peanuts on a record of resale (Peanut 112) on which the buyer reselling the peanuts certifies that the peanuts were identified by valid marketing cards or other records of resale and any marketing quota penalty due has been collected.

§ 729.56 *Rate of penalty.* The penalty per pound upon marketings of excess peanuts shall be at a rate equal to 50 percent of the basic rate of the loan or support price for peanuts for the marketing year.

§ 729.57 *Persons to pay penalty.* The penalty due on peanuts purchased directly from a producer shall be paid by the buyer, who may deduct an amount equivalent to the penalty from the price paid to the producer; except that the penalty due on marketings by a producer directly to any person outside the United States shall be paid by the producer. The buyer shall not be relieved of any liability with respect to the amount of penalty due because of any error which may occur in executing the memoranda of sale.

§ 729.58 *Marketings deemed to be excess peanuts.* In addition to marketings identified by memoranda of sale from excess marketing cards, the marketing of peanuts under any of the following conditions shall be deemed to be a marketing of excess peanuts:

(a) *Producer marketings.* Any marketing of peanuts by a producer which is not identified by a valid memoranda of sale shall be deemed to be a marketing of excess peanuts. The penalty thereon shall be paid by the buyer who may deduct an amount equivalent to the penalty from the amount due the producer.

If any producer falsely identifies or fails to account for the disposition of any peanuts produced on a farm, an amount of peanuts equal to the normal yield, as determined under § 729.23 or 729.25 (13 F. R. 7699–7703), of the excess peanut acreage for the farm shall be deemed to have been a marketing of excess peanuts from such farm. The penalty thereon shall be paid by the producer.

(b) *Buyer's marketings.* The part or all of any marketing of peanuts by a buyer which such buyer represents to be a resale but which when added to prior resales by such buyer is in excess of the total of his prior purchases shall be deemed to be a marketing of excess peanuts unless and until such buyer furnishes proof acceptable to the Director showing that such marketing is not a marketing of excess peanuts. The penalty thereon shall be paid by the buyer making the resale.

(c) *Marketings not reported.* Any sale of peanuts which under the regulations in §§ 729.40 to 729.70, a buyer is required to report but which is not so reported within the time and in the manner therein required, shall be deemed to be a marketing of excess peanuts unless and until such buyer furnishes a report of such sale which is acceptable to the Director. The penalty thereon shall be paid by the buyer who fails to make the report as required.

§ 729.59 *Payment of penalty.* Penalties shall become due at the time the peanuts are marketed and shall be paid by remitting the amount thereof to the State committee not later than the end of the calendar week following the week in which the peanuts became subject to penalty. A draft, money order, or check drawn payable to the Treasurer of the United States may be used to pay any penalty, but any such draft or check shall be received subject to payment at par.

§ 729.60 *Security for payment of penalty.* (a) The county committee may, upon request of the operator of any farm on which the acreage planted to peanuts exceeds the farm allotment, issue a within quota marketing card (Peanut 109) to the farm operator for and on behalf of all producers on the farm in the manner prescribed in § 729.48 provided the county committee obtains an undertaking that no peanuts from excess acreage have been or will be picked or threshed and assuring the collection of any marketing quota penalty that may become due with respect to any peanuts produced on the farm. Such undertaking shall be on form Peanut 116, executed in accordance with instructions issued by the Director with the approval of the Assistant Administrator. In any case where the county committee deems that there is reasonable ground to believe that the issuing of a within quota marketing card pursuant to this section will be used as a device to evade the collection of penalty, the marketing card shall not be so issued.

(b) *Payment of penalty.* If the county committee determines that the farm peanut acreage for any farm for which a within quota marketing card has been issued pursuant to paragraph (a) of this section is in excess of the farm allotment, the converted penalty rate for the farm shall be determined as provided in § 729.54. At such time, the farm operator shall be required to deliver to the county committee any within quota marketing card issued for the farm, showing thereon the required record of all peanuts marketed from the farm. The farm operator shall be required to pay the amount of penalty due on all marketings that have been made from the farm, as determined by the county committee. The county committee shall cancel each within quota marketing card issued for the farm and, after collecting the amount of any penalty due, shall issue an excess marketing card in accordance with § 729.48 (b).

§ 729.61 *Request for return of penalty.* After the marketing of peanuts from the farm is completed and the disposition of any other peanuts produced on the farm can be shown, the producer and any other person who bore the burden of the payment of any penalty may request the return of the amount of such penalty which is in excess of the amount required under §§ 729.40 to 729.70, to be paid. Such request shall be filed with the county committee within two (2) years after the payment of the penalty.

RECORDS AND REPORTS

§ 729.62 *Producers' records and reports*—(a) *Report on marketing card.* The operator of each farm on which peanuts are produced in 1949 shall return to the office of the county committee each marketing card issued for the farm whenever marketings from the farm are completed. Failure to return the marketing card (after formal notification) shall constitute failure to account for disposition of peanuts marketed from the farm in the event that a satisfactory account of such disposition is not furnished otherwise, and the allotment next established for such farm shall be reduced by that percentage which the amount of peanuts unaccounted for is of the farm marketing quota.

(b) *Additional reports by producers.* In addition to any other reports which may be required under §§ 729.40 to 729.70, the operator of each farm or any other person having an interest in the peanuts on the farm (even though the farm peanut acreage does not exceed the farm allotment and even though no farm allotment was established) shall, upon written request from the State committee sent by registered mail to such person at his last known address, furnish the Secretary a written report of the disposition made of all peanuts produced on the farm by sending the same to the State committee within ten days after the request for such report was deposited in the United States mails. Such written report shall show for the farm at the time of filing, (1) the farm peanut acreage, (2) the total production of peanuts, (3) the amount of peanuts not marketed and their location, and (4) for each lot of peanuts marketed, the name and address of the buyer to or through whom such peanuts were marketed, the number of pounds marketed, and the date marketed. Failure to file the report as requested or the filing of a report which is found by the State committee to be incomplete or incorrect shall constitute failure of the producer to account for disposition of peanuts produced on the farm and the allotment next established for such farm shall be reduced, by that percentage which the amount of peanuts unaccounted for is of the farm marketing quota.

§ 729.63 *Buyers' records and reports*—(a) *Record of marketings.* Each buyer shall keep such records as will enable him to furnish the Director the following information with respect to each lot of peanuts marketed to or through him by a producer and each lot of farmers' stock peanuts marketed to or through him by another buyer:

(1) Serial number of the memorandum of sale issued to identify each marketing of peanuts.

(2) Name of seller (in the case of a producer, the name of the operator of the farm on whose card the peanuts were marketed, or the farm serial number).

(3) Date of marketing.

(4) Number of pounds marketed.

(5) Amount of any penalty due and the amount of any deduction on account or penalty from the price paid the producer.

Records of all resales of farmers' stock peanuts by the buyer shall be maintained and the name of each person to whom such resale was made shall be shown on the buyer's record.

(b) *Memorandum of sale or record of sale without marketing card.* A record in the form of a valid memorandum of sale or a memorandum of sale without marketing card shall be obtained by the buyer to cover each marketing of peanuts from a farm. Such record shall be forwarded to the State committee not later than the end of the calendar week following the week in which the peanuts were marketed.

(c) *Report of penalties.* Each buyer shall execute a memorandum of sale from an excess marketing card (Peanut 110) or a memorandum of sale without marketing card (Peanut 111) for each marketing subject to penalty. Such forms shall be forwarded, together with remittance of the penalties due, as shown thereon, to the State committee not later than the end of the calendar week following the week in which the peanuts became subject to penalty.

(d) *Additional records and reports by buyer.* Each buyer shall keep such records and furnish such reports to the State committee, in addition to the foregoing, as the Director my find necessary to insure the proper identification of the marketings of peanuts and the collection of penalties due thereon as provided in §§ 729.40 to 729.70.

§ 729.64 *Record and report of peanuts shelled for producers.* Any person who shells peanuts for a producer, including any producer who shells peanuts produced by himself, shall identify each lot of such peanuts by an executed report of peanuts shelled for producers (Peanut 115) and shall forward such report to the State committee not later than the

end of the calendar week following the week in which the peanuts are shelled.

§ 729.65 *Separate records and reports from persons engaged in more than one business.* Any person who is required to keep any record or make any report as a buyer, processor, or as a person engaged in the business of shelling or crushing peanuts, and who is engaged in more than one such business, shall keep such records as will enable him to make separate reports for each such business in which he is engaged to the same extent for each such business as if he were engaged in no other business.

§ 729.66 *Failure to keep records or make reports.* Any buyer, warehouseman, processor or common carrier of peanuts, any broker or dealer in peanuts, any agent marketing peanuts for a producer or acquiring peanuts for a buyer or dealer, any peanut growers' cooperative association, any person engaged in the business of cleaning, shelling, crushing, or salting peanuts, or manufacturing peanut products, or any person owning or operating a peanut picking or peanut threshing machine who fails to make any report or keep any record as required in accordance with §§ 729.40 to 729.70, or who makes any false report or record, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than $500.

§ 729.67 *Examination of records and reports.* Any buyer, warehouseman, processor or common carrier of peanuts, any broker or dealer in peanuts, any agent marketing peanuts for a producer or acquiring peanuts for a buyer or dealer, any peanut growers cooperative association, any person engaged in the business of cleaning, shelling, crushing, or salting peanuts, or manufacturing peanut products, or any person owning or operating a peanut picking or peanut threshing machine, shall make available for examination upon request by a duly authorized representative of the State committee or Director, such books, papers, records, accounts, correspondence, contracts, documents, and memoranda as the State committee or Director has reason to believe are relevant and are within the control of such person.

§ 729.68 *Length of time records and reports to be kept.* Records required to be kept and copies of reports required to be made by any person in accordance with §§ 729.40 to 729.70 for the 1949–50 marketing year shall be kept by him until July 31, 1952. Records shall be kept for such longer period of time as may be requested in writing by the Director.

MISCELLANEOUS

§ 729.69 *Information confidential.* All data reported to or acquired by the Secretary pursuant to the provisions of §§ 729.40 to 729.70 shall be kept confidential by all officers and employees of the United States Department of Agriculture and by all members and employees of State or county committees and only such data so reported or acquired as the Assistant Administrator deems relevant shall be disclosed by them and then only in a suit or administrative hearing under Title III of the act.

§ 729.70 *Redelegation of authority.* Any authority delegated to the State committee by the regulations in §§ 729.40 to 729.70, may be redelegated by the State committee.

NOTE: The record keeping and reporting requirements of these regulations have been approved by and subsequent reporting requirements will be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

day of June 1949. Witness my hand and seal of the Department of Agriculture.

CHARLES F. BRANNAN,
Secretary.

[F. R. Doc. 49-4694; Filed, June 10, 1949; 8:47 a. m.]

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Orange Reg. 168]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.442 *Orange Regulation 168*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient and a reasonable time is permitted, under the circumstances, for such effective date.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., June 13, 1949, and ending at 12:01 a. m., June 20, 1949, no handler shall ship:

(i) Any oranges, except Temple oranges, grown in Regulation Area I which grade U. S. No. 2 Bright, U. S. No. 2, U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade;

(ii) Any oranges, except Temple oranges, grown in Regulation Area II which grade U. S. No. 2 Russet, U. S. No. 3, or lower than U. S. No. 3 grade; or

(iii) Any oranges, except Temple oranges, grown in Regulation Area II which grade U. S. No. 2 or U. S. No. 2 Bright unless such oranges (*a*) are in the same container with oranges which grade at least U. S. No. 1 Russet and (*b*) are not in excess of 50 percent, by count, of the number of all oranges in such container.

(2) During the period beginning at 12:01 a. m., e. s. t., June 20, 1949, and ending at 12:01 a. m., e. s. t., August 31, 1949, no handler shall ship:

(i) Any oranges, except Temple oranges, grown in Regulation Area I or Regulation Area II which grade U. S. No. 3, or lower than U. S. No. 3 grade.

(3) During the period beginning at 12:01 a. m., e. s. t., June 13, 1949, and ending at 12:01 a. m., e. s. t., August 31, 1949, no handler shall ship:

(i) Any oranges, except Temple oranges, grown in Regulation Area I or Regulation Area II which are of a size larger than a size that will pack 126 oranges, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(4) As used in this section, the terms "handler," "ship," "Regulation Area I," and "Regulation Area II" shall each have the same meaning as when used in said amended marketing agreement and order; and the terms "U. S. No. 1 Russet," "U. S. No. 2 Bright," "U. S. No. 2," "U. S. No. 2 Russet," "U. S. No. 3," "standard pack," "container," and "standard nailed box" shall each have the same meaning as when used in the United States Standards for Oranges (13 F. R. 5174, 5306). Shipments of Temple oranges grown in the State of Florida are subject to the provisions of Orange Regulation 159 (14 F. R. 501, 637). (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 7 CFR Part 933)

Done at Washington, D. C., this 9th day of June 1949.

[SEAL] M. W. BAKER,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 49-4743; Filed, June 10, 1949; 9:00 a. m.]

[Grapefruit Reg. 115]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.443 *Grapefruit Regulation 115.* (a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and

upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., June 13, 1949, and ending at 12:01 a. m., e. s. t., August 31, 1949, no handler shall ship:

(i) Any grapefruit of any variety, grown in the State of Florida, which do not grade at least U. S. No. 2 Russet;

(ii) Any seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box; or

(iii) Any seedless grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 126 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box, unless such grapefruit grade U. S. Fancy, U. S. No. 1 Bright, U. S. No. 1, U. S. No. 1 Golden, U. S. No. 1 Bronze, or U. S. No. 1 Russet.

(2) As used in this section, "handler" and "ship" shall have the same meaning as is given to each such term in said amended marketing agreement and order; and the terms "U. S. Fancy," "U. S. No. 1 Bright," "U. S. No. 1," "U. S. No. 1 Golden," "U. S. No. 1 Bronze," "U. S. No. 1 Russet," "U. S. No. 2 Russet," "standard pack," and "standard nailed box" shall each have the same meaning as when used in the United States Standards for Grapefruit (13 F. R. 4787). (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 7 CFR, Part 933)

Done at Washington, D. C., this 9th day of June 1949.

[SEAL] M. W. BAKER,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 49-4744; Filed, June 10, 1949; 9:00 a. m.]

[Elberta Peach Order 1]

PART 936—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 936.349 *Elberta Peach Order 1*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR, Part 936; 14 F. R. 2684), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Elberta Peach Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Elberta peaches, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than June 15, 1949. A reasonable determination as to the supply of, and the demand for, such peaches must await the development of the crop and adequate information thereon was not available to the Elberta Peach Commodity Committee until May 16, 1949; recommendation as to the need for, and the extent of, regulation of shipments of such peaches was made at the meeting of said committee on May 16, 1949, after consideration of all available information relative to the supply and demand conditions for such peaches, at which time the recommendation and supporting information was submitted to the Department; necessary supplemental data for consideration in connection with the specification of the provisions of this section were not available until June 8, 1949; shipments of the current crop of such peaches are expected to begin on or about June 15, 1949, and this section should be applicable to all shipments of such peaches in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., June 15, 1949, and ending at 12:01 a. m., P. s. t., September 16, 1949, no shipper shall ship:

(i) Any package or container of Elberta peaches containing peaches which are not well matured, except that a tolerance of 10 percent shall be allowed for peaches not meeting this requirement (peaches which are well matured are defined in subparagraph (2) of this paragraph);

(ii) Any package or container of Elberta peaches containing peaches which do not meet the requirements of the U. S. No. 1 grade as specified for such grade in the United States Standards for Peaches (7 CFR 51.312): *Provided*, That (*a*) with respect to ripe Elberta peaches which are not smaller than the size known commercially as size 75, the requirements of such grade shall not include freedom from damage, other than serious damage, caused by bruises; and (*b*) with respect to Elberta peaches which are not smaller than the size known commercially as size 55, a tolerance of 5 percent for defects not causing serious damage shall be allowed in addition to the tolerances provided for such grade (the aforesaid sizes known commercially as size 55 and size 75 are defined more specifically in subparagraph (3) and (4), respectively, of this paragraph); or

(iii) Any package or container of Elberta peaches containing peaches which are smaller than the aforesaid size 75 that will pack a No. 12B California peach box, as specified in section 828.25 of the Agricultural Code of California, in accordance with the specifications of a standard pack, as prescribed in the aforesaid United States Standards: *Provided*, That, for the purpose of determining whether ripe Elberta peaches meet the aforesaid minimum size requirement, such peaches shall be fairly tightly packed rather than tightly packed, as prescribed in said United States Standards.

(2) "Peaches which are well matured" means peaches which, at the time of picking: (i) Are not hard; (ii) have shoulders and sutures well filled out; (iii) when ring cut, have flesh that separates from the pit readily and cleanly, and is red colored next to the pit; and (iv) have skin and flesh yellowish green to yellow in color. "Peaches which are not hard" yield to moderate pressure at least slightly at the suture and tip and at least very slightly elsewhere.

(3) As used in this section, the size of Elberta peaches known commercially as size 55 is defined more specifically as being the size that will pack the aforesaid California peach box in accordance with the aforesaid standard pack specifications with two tiers, one tier having two rows of five peaches each and three rows of six peaches each and the other tier having two rows of six peaches each and three rows of five peaches each with no peach small enough to pass through, without using pressure, a rigid ring of inside diameter of 2¾ inches.

(4) As used in this section, the size of Elberta peaches known commercially as size 75 is defined more specifically as being the size that will pack the aforesaid California peach box in accordance with the aforesaid standard pack specifications with two tiers, each having three rows of six peaches each and three rows of seven peaches each with no peach small enough to pass through, without using pressure, a rigid ring of inside diameter of 2¼ inches.

(5) Each shipper, prior to making each shipment of Elberta peaches, shall, during the period set forth in subparagraph (1) of this paragraph, have the peaches included in each such shipment inspected by a duly authorized representative of the Federal-State Inspec-

tion Service, heretofore designated by the Elberta Peach Commodity Committee and hereby approved; and each such shipper shall submit promptly, or cause to be submitted promptly, to the Elberta Peach Commodity Committee, Federal-State shipping point inspection certificates stating the grades and sizes of the Elberta peaches contained in each such lot or shipment: *Provided*, That, in case the following conditions exist in connection with any such shipment:

(i) A written request for inspection is made to the Federal-State Inspection Service not later than 5:00 p. m. of the day before the fruit will be available for inspection;

(ii) The shipper designates in such request the date and hours when the fruit will be available for inspection; and

(iii) The Federal-State Inspection Service furnishes the shipper with a signed statement that it is not practicable, under such conditions, for the Federal-State Inspection Service to make the inspection within the necessary time;

the shipper, by submitting or causing to be submitted promptly such signed statement to the Elberta Peach Commodity Committee, may make the particular shipment without inspection, but such shipper shall comply with all grade and size regulations applicable to such shipment.

(6) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and the terms "bruises," "defects," "damage," "serious damage" and "tightly packed" shall have the same meaning as when used in the aforesaid United States Standards. (48 Stat. 31, as amended; 7 U. S. C. and Sup. I 601 et seq.; 7 CFR Part 936; 14 F. R. 2684)

Done at Washington, D. C., this 8th day of June, 1949.

[SEAL] M. W. BAKER,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 49-4705; Filed, June 10, 1949; 8:49 a. m.]

[Orange Reg. 279]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.425 *Orange Regulation 279*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66 (7 CFR, Cum. Supp., 966.1 et seq.) regulating the handling of oranges grown in the State of California or in the State or Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1946 ed. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective date.

(b) *Order.* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., June 12, 1949, and ending at 12:01 a. m., P. s. t., June 19, 1949, is hereby fixed as follows:

(i) *Valencia oranges.* (*a*) Prorate District No. 1: Unlimited movement;

(*b*) Prorate District No. 2: 900 carloads;

(*c*) Prorate District No. 3: Unlimited movement.

(ii) *Oranges other than Valencia oranges.* (*a*) Prorate District No. 1: No movement;

(*b*) Prorate District No. 2: Unlimited movement;

(*c*) Prorate District No. 3: No movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said order; and "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as is given to each such term in § 966.107 (11 F. R. 10258) of the rules and regulations contained in this part. (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 10th day of June 1949.

[SEAL] M. B. BAKER,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 a. m., June 12, 1949 to 12:01 a. m., June 19, 1949]

VALENCIA ORANGES

Prorate District No. 2

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Alta Loma	.0899
A. F. G. Corona	.0322
A. F. G. Fullerton	.9001

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
A. F. G. Orange	0.4142
A. F. G. Riverside	.1042
A. F. G. San Juan Capistrano	.6717
A. F. G. Santa Paula	.5003
Hazeltine Packing Company	.4502
Placentia Pioneer Valencia Growers Association	.6539
Signal Fruit Association	.0966
Azusa Citrus Association	.4260
Damerel-Allison Co	.8598
Glendora Mutual Orange Association	.3391
Puente Mutual Orange Association	.1689
Valencia Heights Orchard Association	.4947
Covina Citrus Association	1.1832
Covina Orange Growers Association	.5891
Glendora Citrus Association	.3528
Glendora Heights Orange & Lemon Growers Association	.0533
Gold Buckle Association	.4944
La Verne Orange Association	.6524
Anaheim Citrus Fruit Association	1.2646
Anaheim Valencia Orange Association	1.1719
Eadington Fruit Co., Inc	3.1940
Fullerton Mutual Orange Association	1.5749
La Habra Citrus Association	1.0378
Orange County Valencia Association	.4509
Orangethorpe Citrus Association	.9887
Placentia Coop. Orange Association	1.3443
Yorba Linda Citrus Association, The	.6480
Escondido Orange Association	2.3657
Alta Loma Heights Citrus Association	.0672
Citrus Fruit Association	.1390
Cucamonga Citrus Association	.0920
Rialto Heights Orange Growers	.0561
Upland Citrus Association	.4042
Upland Heights Orange Association	.1118
Consolidated Orange Growers	2.0724
Frances Citrus Association	1.1133
Garden Grove Citrus Association	1.4823
Goldenwest Citrus Association, The	1.3789
Irvine Valencia Growers	2.6250
Olive Heights Citrus Association	1.9982
Santa Ana-Tustin Mutual Citrus Association	.9451
Santiago Orange Growers Association	4.2205
Tustin Hills Citrus Association	1.8977
Villa Park Orchards Association, The	1.9107
Bradford Bros., Inc	.6936
Placentia Mutual Orange Association	2.0156
Placentia Orange Growers Association	2.4293
Yorba Orange Growers Association	.6189
Call Ranch	.0615
Corona Citrus Association	.5339
Jameson Company	.0493
Orange Heights Orange Association	.5250
Crafton Orange Growers Association	.2868
East Highlands Citrus Association	.0588
Fontana Citrus Association	.1222
Highland Fruit Growers Association	.0335
Redlands Heights Groves	.2492
Redlands Orangedale Association	.2572
Break & Sons, Allen	.0301
Bryn Mawr Fruit Growers Association	.1681
Mission Citrus Association	.1704
Redlands Coop. Fruit Association	.3095
Redlands Orange Growers Association	.2103

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Redlands Select Groves	0.2245
Rialto Citrus Association	.2009
Rialto Orange Co	.1689
Southern Citrus Association	.1593
United Citrus Co	.1277
Zilen Citrus Co	.0814
Andrews Bros. of California	.0131
Arlington Heights Citrus Co	.1143
Brown Estate, L. V. W	.1223
Gavilan Citrus Association	.1454
Highgrove Fruit Association	.0798
Krinard Packing Co	.2491
McDermont Fruit Co	.1914
Monte Vista Citrus Association	.2074
National Orange Co	.0411
Riverside Heights Orange Growers Association	.0539
Sierra Vista Packing Association	.0498
Victoria Avenue Citrus Association	.1744
Claremont Citrus Association	.1443
College Heights Orange & Lemon Association	.2515
El Camino Citrus Association	.0654
Indian Hill Citrus Association	.2013
Pomona Fruit Growers Exchange	.3705
Walnut Fruit Growers Association	.4521
West Ontario Citrus Association	.2869
El Cajon Valley Citrus Association	.2701
San Dimas Orange Growers Association	.4739
Canoga Citrus Association	.8774
Covina Valley Orange Co	.0790
North Whittier Heights Citrus Association	.8443
San Fernando Fruit Growers Association	.6370
San Fernando Heights Orange Association	.9342
Sierra Madre-Lamanda Citrus Association	.4045
Camarillo Citrus Association	1.6848
Fillmore Citrus Association	3.6177
Mupu Citrus Association	2.2129
Ojai Orange Association	.9724
Piru Citrus Association	2.2443
Rancho Sespe	.7396
Santa Paula Orange Association	1.1171
Tapo Citrus Association	1.0217
Ventura County Citrus Association	.2518
Limoneira Co	.5625
East Whittier Citrus Association	.3627
El Ranchito Citrus Association	1.7403

PRORATE BASE SCHEDULE—Continued

VALENCIA ORANGES—continued

Prorate District No. 2—Continued

Handler	Prorate base (percent)
Whittier Citrus Association	0.5946
Whittier Select Citrus Association	.3532
Anaheim Coop. Orange Association	1.3976
Byrn Mawr Mutual Orange Association	.0773
Chula Vista Mutual Lemon Association	.0756
Escondido Coop. Citrus Association	.3371
Euclid Avenue Orange Association	.5607
Fullerton Coop. Orange Association	.2981
Garden Grove Orange Coop., Inc	.8084
Golden Orange Groves, Inc	.2337
Highland Mutual Groves, Inc	.0145
Index Mutual Association	.2959
La Verne Coop. Citrus Association	1.5964
Mentone Heights Association	.0298
Olive Hillside Groves, Inc	.4348
Orange Coop. Citrus Association	1.1949
Redlands Foothill Groves	.4682
Redlands Mutual Orange Association	.1383
Riverside Citrus Association	.0349
Ventura County Orange and Lemon Association	1.0006
Whittier Mutual Orange and Lemon Association	.1357
Babijuice Corp. of California	.6523
Banks, L. M	.6624
Borden Fruit Co	.9021
California Associated Growers	.3960
California Fruit Distributors	.1025
Cherokee Citrus Co., Inc	.1561
Chess Co., Meyer W	.2643
Evans Bros. Packing Co	.3036
Gold Banner Association	.2127
Granada Hills Packing Co	.0406
Granada Packing House	2.6118
Hill Packing House, Fred A	.0591
Knapp Packing Co., John C	.2809
Orange Belt Fruit Distributors	2.1002
Panno Fruit Co., Carlo	.0380
Paramount Citrus Association	.5658
Placentia Orchard Co	.5379
San Antonio Orchard Co	.3285
Snyder & Sons Co., W. A	.7655
Stephens, T. F	.1884
Wall, E. T	.1168
Western Fruit Growers, Inc	.5039

[F. R. Doc. 49-4793; Filed, June 10, 1949; 11:48 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Supp. 7, Amdt. 1]

PART 60—AIR TRAFFIC RULES

DANGER AREAS

Under sections 205 and 601 of the Civil Aeronautics Act of 1938, as amended, and § 60.103 of the Civil Air Regulations, the Administrator of Civil Aeronautics is authorized to designate as a danger area any area within which he has determined that an invisible hazard to aircraft in flight exists, and no person may operate an aircraft within a danger area unless permission for such operation has been issued by appropriate authority. Such areas have been designated and published.

The following danger area alterations have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and should be adopted without delay, in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of Section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Acting pursuant to sections 205 and 601 of the Civil Aeronautics Act of 1938, as amended, and § 60.103 of the Civil Air Regulations, and in accordance with sections 3 and 4 of the Administrative Procedure Act, I hereby amend the Code of Federal Regulations, Title 14, Chapter I, Part 60, § 60.103–1, as follows:

Arkansas and Montana danger areas are added to read:

ARKANSAS

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Using agency
Little Rock (Little Rock chart).	N boundary: latitude 34°57'00" N. E boundary: longitude 92°15'00" W. S boundary: latitude 34°52'00" N. W boundary: longitude 92°22'00" W.	Surface to 9,000 feet.	Daylight hours only, June 12 through June 26,1949; Saturday and Sunday only thereafter.	Arkansas Air National Guard, Little Rock, Ark

MONTANA

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Using agency
Dillon (Yellowstone Park chart).	N boundary: latitude 45°07'30" N. E boundary: longitude 112°55'00" W. S boundary: latitude 45°00'00" N. W boundary: longitude 113°10'00" W.	Surface to 18,000 feet.	Daylight hours only, June 12 through June 26, 1949.	Montana National Guard, Helena, Mont.

(Secs. 205 (a), 601, 52 Stat. 984, 1007; Pub. Law 872, 80th Cong.; 49 U. S. C. 425, 551; Reorg. Plans Nos. III and IV of 1940, 3 CFR, Cum. Supp., 5 F. R. 2107, 2421)

This amendment shall become effective on June 10, 1949.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 49-4689; Filed, June 10, 1949; 8:46 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 4203]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

WAIN'S LABORATORY, INC.

§ 3.6 (y) *Advertising falsely or misleadingly; Safety:* § 3.71 (e) *Neglecting, unfairly or deceptively, to make material disclosure; Safety.* Order reopening proceeding in Docket 4203, in which findings as to the facts, and order to cease and desist issued on October 18, 1940, 31 F. T. C. 1142, 5 F. R. 4297, and modifying, for the reasons set forth, said findings, and said cease and desist order so as to eliminate from the prohibitions of said original order directed against the false advertisement of respondent's "Wain's Compound", offered for bronchial asthma and coughs, that prohibition which required certain affirmative disclosure as

respects use of said preparation by those having tuberculosis or goiter. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Order modifying cease and desist order, Wain's Laboratory, Inc., Docket 4203, May 20, 1949]

At a regular session of the Federal Trade Commission held at its office in the city of Washington, D. C., on the 20th day of May A. D. 1949.

This matter came on to be heard upon request filed on April 4, 1949, on behalf of Maxwell Wain, an individual, by his attorney, for modification of the Commission's findings as to the fact and order to cease and desist in the above-entitled matter, and answer thereto filed on April 12, 1949, by William M. King, of the Commission's trial staff, admitting the facts to be as set forth in the request and interposing no objection to the requested modification.

The Commission, on October 18, 1940, issued its findings as to the facts and order to cease and desist against Wain's Laboratory, Inc., a corporation. Among other things, the Commission found that respondent's representations concerning its preparation designated "Wain's Compound" constituted false advertisements because of their failure to reveal facts material in the light of such representations and failure to reveal that the use of said preparation under the conditions prescribed or under such conditions as are customary or usual may result in injury to health by reason of its potassium iodide content. On the basis of its findings as to the facts the Commission issued its order to cease and desist in which it prohibited, among other things, the dissemination by respondent of any advertisement in connection with the offering for sale, sale, or distribution of the aforementioned preparation which fails to reveal that said preparation should not be used by those having tuberculosis or goitre, with the proviso that such advertisement need contain only a statement that said preparation should be used only as directed on the label thereof when such label contains a warning to the effect that the preparation should not be used by those having tuberculosis or goitre.

The Commission, on December 11, 1946, promulgated a statement of policy, amended on March 2, 1948, which is in pertinent part as follows:

In the case of advertisements of food, drugs, cosmetics, or devices which are false because of failure to reveal facts material with respect to the consequences which may result from the use of the commodity, it is the policy of the Commission to proceed only when the resulting dangers may be serious or the public health may be impaired, and in such cases to require that appropriate disclosure of the facts be made in the advertising.

Subsequently, and in conformity with the foregoing policy, the Commission administratively determined that it will not be its policy to require disclosures or revelations in advertising preparations containing iodides because of the presence of those ingredients, when such preparations are compounded and used as is customary or usual or under appropriate directions for their use.

In view of the policy statement and administrative determination referred to above, it is the opinion of the Commission that it will be in the public interest to reopen this proceeding for the purpose of modifying said findings as to the facts and order to cease and desist.

It is therefore ordered, That this proceeding be, and the same hereby is, reopened for the purpose of modifying the findings as to the facts and order to cease and desist issued herein on October 18, 1940.

It is further ordered, That said findings as to the facts be, and the same hereby are, modified by striking therefrom Paragraph Six, reading as follows:

PARAGRAPH SIX: In addition to the representations hereinabove set forth, the respondent has also engaged in the dissemination of false advertisements in the manner above set forth, in that said advertisements so disseminated fail to reveal facts material in the light of such representations and fail to reveal that the use of said preparation under the conditions prescribed in said advertisements or under such conditions as are customary or usual, may result in injury to health.

It is further ordered, That said order to cease and desist be, and the same hereby is, modified by striking from paragraphs "1" and "2" thereof the parts reading as follows: "or which advertisement fails to reveal that said preparation should not be used by those having tuberculosis or goitre (*Provided, however,* That such advertisement need contain only a statement that said preparation should be used only as directed on the label thereof when such label contains a warning to the effect that the preparation should not be used by those having tuberculosis or goitre)."

By the Commission.

[SEAL] D. C. DANIEL, *Secretary.*

[F. R. Doc. 49-4701; Filed, June 10, 1949; 8:49 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter II—Railroad Retirement Board

PART 335—SICKNESS BENEFITS AND MATERNITY BENEFITS

EXECUTION OF STATEMENT OF SICKNESS AND SUPPLEMENTAL DOCTOR'S STATEMENT

Pursuant to the general authority contained in section 12 of the act of June 25, 1938 (52 Stat. 1107; 45 U. S. C. 362 (1)), § 335.103 of the regulations of the Railroad Retirement Board under such act (12 F. R. 5610; 14 F. R. 2044) is amended by Board Order 49-186, dated May 19, 1949, effective July 1, 1947, to read as follows:

§ 335.103 *Execution of statement of sickness and supplemental doctor's statement.* A statement of sickness, and any supplemental doctor's statement which may be required by the Board, shall be executed by an individual who (a) is a doctor trained in medical and surgical diagnosis and licensed to practice his profession in the State or foreign jurisdiction in which the form is executed; or (b) is a chiropractor licensed to practice his profession in the State or foreign jurisdiction in which the form is executed; or (c) is the superintendent or other supervisory official of a hospital, clinic, group health association, or other similar organization, in which all examination and treatment are conducted under the supervision of licensed doctors trained in medical and surgical diagnosis, or under the supervision of licensed chiropractors, and in which medical records are maintained for each patient. Such individual shall execute the statement of sickness, and any supplemental doctor's statement which may be required, on the forms provided by the Board, and shall furnish the information required by such forms: *Provided, however,* That a statement of sickness or supplemental doctor's statement furnishing the required information may be executed on forms or official stationery provided by a hospital, clinic, group health association, or other similar organization for transcription of medical records of such organization. (Sec. 12, 52 Stat. 1107; 45 U. S. C. 362 (1))

Dated: June 6, 1949.

By Authority of the Board.

MARY B. LINKINS, *Secretary of the Board.*

[F. R. Doc. 49-4691; Filed, June 10, 1949; 8:46 a. m.]

Chapter III—Bureau of Old Age and Survivors Insurance, Social Security Administration, Federal Security Agency

[Regs. 3, Further Amended]

PART 403—FEDERAL OLD-AGE AND SURVIVORS INSURANCE

WAIVER OF ADJUSTMENT OR RECOVERY OF OVERPAYMENTS

Regulations No. 3, as amended (20 CFR, 1947 Sup., 403.1 et seq.), are further amended as follows:

1. Section 403.602 (c) (1) is amended by adding a new subdivision (xii) to read as follows:

§ 403.602 *Waiver of adjustment or recovery.* * * *

(c) *Deduction overpayments* — (1) *Definition of "without fault."* * * *

(xii) Reasonable belief that his employment was not covered, such belief being based upon his employer's failure to make social security tax deductions from his pay.

2. Section 403.602 (c) (3) is amended to read:

§ 403.602 *Waiver of adjustment or recovery.* * * *

(c) *Deduction overpayments.* * * *

(3) *Waiver situations.* (i) In the situations described in subparagraph (1) (i) and (ii) of this paragraph, there shall be no adjustment or recovery since it will be deemed that adjustment or recovery would be "against equity and good conscience."

(ii) In the situations described in subparagraph (1) (iii) to (x), inclusive, and subparagraph (1) (xii) of this paragraph, if the monthly net cash earnings ("take-home" pay) did not exceed the total benefits affected or $18.75, whichever is greater, there shall be no adjustment or recovery since it will be deemed that under such circumstances adjustment or recovery would be "against equity and good conscience." Where the net cash earnings exceeded the total benefits affected and also exceeded $18.75, adjustment or recovery shall be waived only if it appears that adjustment or recovery would "defeat the purpose of Title II" or would otherwise be "against equity and good conscience."

(iii) In the situation described in subparagraph (1) (xi) of this paragraph, adjustment or recovery shall be waived only if the wife or child establishes that adjustment or recovery would "defeat the purpose of Title II" or would be "against equity and good conscience."

(Sec. 205 (a), 53 Stat. 1368; sec. 1102, 49 Stat. 647; 42 U. S. C. 405 (a), 1302; sec. 4 of Reorg. Plan No. 2 of 1946, 60 Stat. 1095; and 45 CFR, 1946 Sup., 1.21: Interprets section 204 (b), 53 Stat. 1368, 42 U. S. C. 404 (b))

Dated: June 3, 1949.

[SEAL] A. J. ALTMEYER,
Commissioner for Social Security.

Approved: June 7, 1949.

J. DONALD KINGSLEY,
Acting Federal Security Administrator.

[F. R. Doc. 49-4700; Filed, June 10, 1949; 8:48 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter I—Home Loan Bank Board, Housing and Home Finance Agency

Subchapter D—Federal Savings and Loan Insurance Corporation

[No. 1760]

PART 161—INSURANCE OF ACCOUNTS

LENDING AREA APPLICABLE TO PURCHASE OF HOME OWNERS' LOAN CORPORATION LOANS

JUNE 8, 1949.

Resolved that, pursuant to paragraph (b) of § 161.22 of the rules and regulations for insurance of accounts (24 CFR 161.22 (b)), paragraph (e) of § 161.11 of said rules and regulations (24 CFR 161.11 (e)) is hereby amended, effective June 11, 1949, by adding the following sentence at the end thereof: "Any insured institution may, to the extent it has legal power to do so, purchase loans secured by real estate from the Home Owners' Loan Corporation without regard to preceding provisions of this section."

Resolved further that the aforesaid amendment relieves certain restrictions thereby making advance notice or deferment of the effective date recited herein unnecessary.

(Sec. 402 (a), Sec. 403 (b), (c), 48 Stat. 1256, 1257, 1258, Sec. 23, 49 Stat. 298; 12 U. S. C. 1725 (a), 1726 (b), (c), and Supp.; 61 Stat. 954, 5 U. S. C. 133y 16)

By the Home Loan Bank Board.

[SEAL] J. FRANCIS MOORE,
Secretary.

[F. R. Doc. 49-4706; Filed June 10, 1949; 8:51 a. m.]

Chapter VIII—Office of Housing Expediter

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CONTROLLED HOUSING RENT REGULATION FOR MIAMI DEFENSE-RENTAL AREA

[Controlled Housing Rent Reg., Miami Defense-Rental Area,[1] Amdt. 21]

The Controlled Housing Rent Regulation for the Miami Defense-Rental Area (§§ 825.41 to 825.52) is amended in the following respect:

The second sentence of § 825.41 (a) is changed to read as follows: "The Miami Defense-Rental Area consists of the County of Dade, in the State of Florida, except the municipalities of Miami Beach, Surfside, Bal Harbour, Bay Harbor Island, Hialeah, Coral Gables and Miami Springs."

This amendment decontrols from §§ 825.41 to 825.52 the City of Coral Gables and the Town of Miami Springs, in Dade County, Florida, based upon resolutions submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37, 94 and by Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d). Applies sec. 204, 61 Stat. 197, as amended by 62 Stat. 37, 94 and by Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894)

This amendment shall become effective June 8, 1949.

Issued this 8th day of June 1949.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 49-4697; Filed, June 10, 1949; 8:48 a. m.]

[1] 13 F. R. 5706, 5788, 5877, 5937, 6246, 6283, 6411, 6556, 6881, 6910, 7299, 7671, 7801, 7862, 8217, 8327, 8386; 14 F. R. 17, 93, 143, 271, 337, 456, 627, 632, 695, 856, 918, 979, 1005, 1083, 1345, 1394, 1519, 1570, 1571, 1587, 1666, 1667, 1733, 1760, 1823, 1868, 1932, 2059, 2060, 2084, 2176, 2233, 2412, 2441, 2545, 2607, 2608, 2695, 2746, 2761, 2796, 2897.

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Miami Defense-Rental Area,[1] Amdt. 17]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

RENT REGULATION FOR CONTROLLED ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS IN MIAMI DEFENSE-RENTAL AREA

The Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments in Miami Defense-Rental Area (§§ 825.121 to 825.132) is hereby amended in the following respect:

The second sentence of § 825.121 (a) is changed to read as follows: "The Miami Defense-Rental Area consists of the County of Dade, in the State of Florida, except the municipalities of Miami Beach, Surfside, Bal Harbour, Bay Harbor Island, Hialeah, Coral Gables and Miami Springs."

This amendment decontrols from §§ 825.121 to 825.132 the City of Coral Gables and the Town of Miami Springs, in Dade County, Florida, based upon resolutions submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

(Sec. 204 (d), 61 Stat. 197, as amended by 62 Stat. 37, 94 and by Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894 (d). Applies sec. 204, 61 Stat. 197, as amended by 62 Stat. 37, 94 and by Pub. Law 31, 81st Cong.; 50 U. S. C. App. 1894)

This amendment shall become effective June 8, 1949.

Issued this 8th day of June 1949.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 49-4698; Filed, June 10, 1949; 8:48 a. m.]

[1] 13 F. R. 5750, 5789, 5875, 5937, 5938, 6247, 6283, 6411, 6556, 6882, 6911, 7299, 7672, 7801, 7862, 8218, 8328; 14 F. R. 18, 272, 337, 457, 627, 682, 695, 857, 918, 978, 1083, 1345, 1520, 1570, 1582, 1587, 1669, 1670, 1734, 1869, 1932, 2061, 2062, 2085, 2177, 2237, 2413, 2440, 2441, 2545, 2607, 2608, 2695, 2898.

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 910]

[Docket No. AO–13 A2]

HANDLING OF FRESH PEAS, CAULIFLOWER, AND CABBAGE GROWN IN COUNTIES OF ALAMOSA, RIO GRANDE, CONEJOS, COSTILLA, AND SAGUACHE, COLORADO

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO FURTHER AMENDMENTS TO MARKETING AGREEMENT AND ORDER

Correction

In Federal Register Document 49–4336, appearing at page 2869 of the issue for Wednesday, June 1, 1949, the headnote for § 910.18 should read *"Duties of alternate members."*

[7 CFR, Part 989]

[Docket No. AO–198]

HANDLING OF RAISINS PRODUCED FROM RAISIN VARIETY GRAPES GROWN IN CALIFORNIA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND ORDER

Correction

In Federal Register Document 49–4618, published at page 3083 of the issue for Wednesday, June 8, 1949, the following corrections should be made:

1. In paragraph (3) (a) of the "Findings and Conclusions":

a. The thirteenth line of the fourth paragraph should read: "of Black Minukka grapes are dried,".

b. In the tenth line of the ninth paragraph the word "operation" should read "operations".

c. In the twelfth line of the tenth paragraph the word "firing" should read "fixing".

2. In § 989.2 (b) (2) (iii) the word "cost" in the eleventh line should read "cast".

3. In § 989.4 (e) (7) the word "volome" in the eighteenth line should read "volume".

4. In the last paragraph of Exhibit A the word "Neveda" should read "Nevada".

5. In Exhibit B the word "presented" in the eighth paragraph under "Grade" should read "present".

CIVIL AERONAUTICS BOARD

[14 CFR, Part 50]

PRIMARY FLYING SCHOOL FLIGHT CURRICULUM

SUBSTITUTION OF OBSERVER TIME FOR PILOT TIME

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board a Special Civil Air Regulation as hereinafter set forth.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. All communications received within 30 days from the date of this publication will be considered by the Board before taking further action on the proposed rule.

Section 50.110 (a) of the current Civil Air Regulations requires that a primary flying school shall provide at least 35 hours of flying in spinnable aircraft in accordance with a curriculum approved by the Administrator. Such curriculum, as set forth in Civil Aeronautics Manual 50, requires that each student receiving instruction in a spinnable aircraft shall be given a minimum of at least 15 hours of dual instruction of which 8 hours shall be given prior to the student's first solo flight, and at least 13 hours of solo flight time.

It has been suggested by several groups that the flight curriculum for private pilots should include flight training in 4-place or larger airplanes because of the growing tendency of pilots with only a private rating to operate such aircraft.

The suggested flight curriculum would require the student to have not less than 10 hours of solo flight time, not less than 15 hours of dual instruction time, and not more than 30 hours of observer time. The solo flight time could be acquired in any type of airplane, except that the student would be required to solo every type airplane in which he received instruction from a flight instructor. It is contemplated that three students would ride a total of 45 hours each in a 4-place or larger airplane accompanied by a flight instructor and that each student would pilot the aircraft ⅓ of the time, or 15 hours. The 15 hours would be credited as dual instruction time. During the balance of the 45 hours he would act in the capacity of an observer, would receive instruction in dead-reckoning navigation, and would be familiarized with traffic control practices and procedures at various strange airports. Such time would also afford the student an opportunity to observe flight instruction given to other students. It is believed that a student would benefit by this type of observation.

As stated, the Civil Air Regulations require a student to have 35 hours of flight time in spinnable aircraft while actually manipulating the controls of an airplane, whereas the suggested curriculum would require a student to obtain only a total of 25 hours of flight time in such activity. Thus, the recommendation is to substitute 30 hours of observer time for 10 hours of pilot time. It should be noted that the curriculum here suggested may be utilized by a school using nonspinnable aircraft without the regulation herein proposed.

The proponents of such a curriculum are of the opinion that the substitution of observer time for pilot time will provide the student with knowledge and experience which would enable him to pilot aircraft more safely. It is stated that since most airplane users are primarily interested in flying as a means of transportation, a program for instructing pilots in the use of airplanes most commonly used for transportation, such as 4-place airplanes, would provide students with training which more closely approximates that which they expect to encounter after receiving private pilot certificates, thus enabling them to pilot such aircraft more safely.

The Bureau recognizes that the suggested course of training has merit, but it does not at this time have sufficient information to evaluate the advisability of incorporating such a curriculum in the Civil Air Regulations as a mandatory requirement. It is therefore proposed that the suggested curriculum be followed in schools desiring to institute such a course of training, which are approved by the Administrator as being competent to conduct such training, and that the training be closely monitored by the Administrator. It is assumed that the Administrator, in evaluating the benefits of this type of program, will consider the extent to which the controlled observer experience should be substituted for solo flight time and dual instruction time.

It is believed that a trial period of one year should afford the Administrator sufficient time in which to evaluate the results of such a curriculum and report his findings to the Board.

Accordingly, the following Special Civil Air Regulation is proposed:

Any contrary provisions of the Civil Air Regulations notwithstanding, the Administrator may issue an airman agency certificate with a primary flying school rating to an applicant who will provide at least 55 hours of flight training of which not less than 10 hours shall be solo flight time, and not less than 15 hours dual instruction time. The curriculum shall be approved by the Administrator. An individual undergoing such training shall be entitled to be credited with a total of 35 hours of flight time of which all except the solo flight time flown shall be credited as dual instruction time: *Provided*, That if the total solo flight time and dual instruction time actually flown exceeds 35 hours, an individual may be credited with the total of such time.

This regulation shall terminate one year from the date of adoption.

This regulation is proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended.

(Secs. 205 (a), 601–610, 52 Stat. 984, 1007–1012; 49 U. S. C. 425 (a), 551, 560; Pub. Law 872, 80th Cong., 2d Sess.)

Dated May 27, 1949, at Washington, D. C.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN,
Director.

[F. R. Doc. 49–4702; Filed, June 10, 1949; 8:49 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR, Part 3]

[Docket No. 9335]

RADIO BROADCAST SERVICES

FM BROADCAST STATIONS

1. Notice is hereby given of proposed rule making in the above entitled matter.

2. It is proposed to amend the rules governing FM broadcast stations and the Standards of Good Engineering Practice Concerning FM Broadcast Stations as set forth below.

3. The purpose of the proposed amendment is (1) to require that the Commission be notified of any operation with an emergency antenna and to provide that such operation may continue for not more than ten days without further express authority, (2) to clarify operating log requirements where RF transmission line meters with other than absolute scale readings are used, (3) to show change in price and availability of maps required to be supplied with applications for new or changed facilities, (4) to make provision whereby half-wave dipole receiving antennas may be used in field intensity measurements, (5) to amend the requirements for supplying original data in field intensity measurement reports, (6) to amend the table of standard power ratings of approved transmitters and delete the previous provision for nonconforming power ratings (except for composite transmitters), (7) to amend the Standards on output noise level so as to include a reference frequency of 400 cycles, (8) to add 1000 cycles to the audio frequency measurement frequencies, and (9) to make minor editorial changes.

4. The proposed amendment to the Standards of Good Engineering Practice is issued under the authority of sections 303 (b), (c), (e), (f), (g) and (r) of the Communications Act of 1934, as amended.

5. Any interested party who is of the opinion that the proposed amendments should not be adopted, or should not be adopted in the manner set forth herein, may file with the Commission on or before June 30, 1949 a statement or brief setting forth his comments. At the same time persons favoring the amendments as proposed may file statements in support thereof. The Commission will consider all such comments that are presented before taking action in the matter, and if any comments are submitted which appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

8. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs or comments filed shall be furnished the Commission.

Adopted: June 1, 1949.

Released: June 2, 1949.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

Amendments to subpart B of Part 3, Rules Governing FM Broadcast Stations:

1. Add a new § 3.273 to read as follows:

§ 3.273 *Emergency antenna.* In the event it becomes impossible to operate with the regularly authorized antenna, the station may, without further authority, be operated with an emergency antenna for a period of 10 days or less pending necessary repairs, *Provided,* That the Commission and the engineer in charge of the district in which the station is located shall be notified in writing immediately upon the beginning of such operation and upon the resumption of normal operation.

2. In § 3.281 delete present wording of paragraph (b) (4) (ii) and substitute "RF transmission line meter reading."

Amendments to Standards of Good Engineering Practice concerning FM Broadcast Stations:

1. Section 3: Paragraph 3 line 3, change "10 cents each" to "20 cents each". Delete present wording of the last sentence and substitute: "These maps may also be secured from branch offices and from authorized agents or dealers in most principal cities."

2. Section 3, paragraph 3, as amended will read as follows:

The United States Geological Survey Topography Quadrangle Sheets may be obtained from the United States Geological Survey, Department of the Interior, Washington, D. C., for 20 cents each. The Sectional Aeronautical Charts are available from the United States Coast and Geodetic Survey, Department of Commerce, Washington, D. C., for 25 cents each. These maps may also be secured from branch offices and from authorized agents or dealers in most principal cities.

3. Section 5, paragraph 2, delete the last sentence and substitute: "The receiving antenna shall be primarily responsive to the horizontal electric field and should be nondirectional unless otherwise authorized. Authorization to use a half-wave dipole may be obtained by application filed with the Commission prior to the making of measurements. The application may be filed by letter describing the antenna and the procedure proposed to be used. Such authorization will remain in effect throughout the series of measurements for which granted."

4. Section 5, paragraph 2, as amended will read as follows:

Measurements made to determine the service and interference areas of FM broadcast stations should be made with mobile equipment along roads which are as close and similar as possible to the radials showing topography which were submitted with the application for construction permit. Suitable measuring equipment and a continuous recording device must be employed, the chart of which is either directly driven from the speedometer of the automobile in which the equipment is mounted or so arranged that distances and identifying landmarks may be readily noted. The measuring equipment must be calibrated against recognized standards of field intensity and so constructed that it will maintain an acceptable accuracy of measurement while in motion or when stationary. The equipment should be so operated that the recorder chart can be calibrated directly in field intensity in order to facilitate analysis of the chart. The receiving antenna shall be primarily responsive to the horizontal electric field and should be nondirectional unless otherwise authorized. Authorization to use a half-wave dipole may be secured by application filed with the Commission prior to the making of measurements. The application may be filed by letter describing the antenna and the procedure proposed to be used. Such authorization will remain in effect throughout the series of measurements for which granted.

5. Section 5, paragraph 9, item (d), delete present wording and substitute "A representative sample of the recording tape, including calibration."

6. Section 5, paragraph 10, delete present wording and substitute "All data shall be submitted to the Commission in triplicate."

7. Section 5, paragraphs 9 and 10 as amended will read as follows:

Complete data taken in conjunction with field intensity measurements shall be submitted to the Commission in affidavit form, including the following:

(a) Map or maps showing the roads or points where measurements were made, the service and/or interference areas determined by the prediction method and by the measurements, and any unusual terrain characteristics existing in these areas. (This map may preferably be of a type showing topography in the area.)

(b) If a directional transmitting antenna is employed, a diagram on polar coordinate paper showing the predicted free space field intensity in millivolts per meter at one mile in all directions. (See sec. 7.)

(c) A full description of the procedures and methods employed including the type of equipment, the method of installation and operation, and calibration procedures.

(d) A representative sample of the recording tape, including calibration.

(e) Antenna system and power employed during the survey.

(f) Name, address, and qualifications of the engineer or engineers making the measurements.

All data shall be submitted to the Commission in triplicate.

8. Section 8 Part A, item (1), amend to add the following standard power ratings:

Standard power rating:	*Operating power range*
10 watts [1]	10 watts or less
5 kw	1–5 kw

[1] For noncommercial educational FM stations.

9. Section 8, Part A, item (1), as amended will read as follows:

(1) Standard power ratings and operating power range of FM broadcast

transmitters shall be in accordance with the following table:

Standard power rating:	*Operating power range*
10 watts [1]	10 watts or less.
250 watts	250 watts or less.
1 kw	250 watts–1 kw.
3 kw	1–3 kw.
5 kw	1–5 kw.
10 kw	3–10 kw.
25 kw	10–25 kw.
50 kw	10–50 kw.
100 kw	50–100 kw.

[1] For noncommercial educational FM stations.

Composite transmitters may be authorized with a power rating different from the above table, provided full data is supplied in the application concerning the basis employed in establishing the rating and the need therefor. The operating range of such transmitters shall be from one-third of the power rating to the power rating.

The transmitter shall operate satisfactorily in the operating power range with a frequency swing of ±75 kilocycles, which is defined as 100 percent modulation.

10. Section 8: Part A, item (4), amend in order to include a 400 cycle reference frequency, to read as follows:

The transmitting system output noise level (frequency modulation) in the band of 50 to 15,000 cycles shall be at least 60 decibels below 100 percent modulation (frequency swing of ±75 kilocycles). The measurement shall be made using 400 cycle modulation as a reference. The noise measuring equipment shall be provided with standard 75-microsecond deemphasis; the ballistic characteristics of the instrument shall be similar to those of the standard VU meter.

11. Section 11: Part B, footnote 5, amend to read as follows:

See Part 0 of the rules and regulations for addresses of field offices.

12. Section 13: Delete footnote 6.

13. Section 13: Part E, item (2), amend to add to the modulation frequency of 1000 cycles.

14. Section 13: Part E, item (2) as amended will read as follows:

(2) Data and curves showing over-all audio frequency response from 50 to 15,000 cycles for approximately 25, 50, and 100 percent modulation. Measurements shall be made on at least the following modulation frequencies: 50, 100, 400, 1000, 5000, 10,000 and 15,000 cycles. This shall be plotted below a standard 75 microsecond preemphasis curve (see fig. 3).

15. Section 13: Part F; delete the entire part.

[F. R. Doc. 49–4692; Filed, June 10, 1949; 8:46 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[1760979]

ARIZONA

NOTICE OF FILING OF PLAT OF SURVEY

JUNE 7, 1949.

Notice is given that the plat of survey of T. 33 N., R. 16 W., G. & S. R. M., Arizona, accepted June 2, 1947, including lands hereinafter described, will be officially filed in the District Land Office at Phoenix, Arizona, effective at 10:00 a. m. on the 35th day after the date of this notice:

The lands affected by this notice are described as follows:

GILA AND SALT RIVER MERIDIAN

T. 33 N., R. 16 W.,
Secs. 1 to 36 inclusive.

The area described, exclusive of segregations, aggregates 18,812.32 acres.

All the lands involved are included in temporary withdrawal by Executive Order No. 5339, April 25, 1930, for classification and pending determination as to the advisability of including such lands in a national monument.

Anyone having a valid settlement or other right to any of these lands initiated prior to the date of the withdrawal of the lands should assert same within three months from the date on which the plat is officially filed by filing an application under the appropriate public land laws, setting forth all facts relative thereto.

All inquiries relating to these lands should be addressed to the Acting Manager, District Land Office, Phoenix, Arizona.

ROSCOE E. BELL,
Associate Director.

[F. R. Doc. 49–4690; Filed, June 10, 1949; 8:46 a. m.]

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Public Notice No. 8 (San Antonio)]

SCOBEY FIREPROOF STORAGE CO., INC.

NOTICE OF HEARING ON APPLICATION

JUNE 3, 1949.

Pursuant to the provisions of the act of June 18, 1934 (48 Stat. 998–1003; 19 U. S. C. 81a–81u), and the regulations governing the establishment, operation, maintenance and administration of foreign-trade zones in the United States, promulgated in pursuance of said act, a public hearing will be held by an Examiners' Committee, beginning at 10:00 a. m., c. s. t., on July 6th, 1949, in the Pan American Room third floor, Gunter Hotel, San Antonio, Texas.

The subject of the hearing is an application by Scobey Fireproof Storage Co., Inc., a Texas corporation, of San Antonio, Bexar County, Texas, for a grant to establish, operate, and maintain a foreign-trade zone at San Antonio. General plans showing the location of the project may be examined at the office of the Examiners' Committee, Cooperative Office of the United States Department of Commerce, in care of the San Antonio Chamber of Commerce, 700 Insurance Building, San Antonio, Texas, or at the office of the Executive Secretary of the Foreign-Trade Zones Board, Room 2036, Commerce Building, Washington 25, D. C. In brief, these plans contemplate the utilization of a portion of the municipal airport of San Antonio, Texas, on a tract of land approximately three acres upon which Scobey Fireproof Storage Company will erect buildings, appurtenances, and such facilities as may be required to establish, maintain and operate a foreign-trade zone. The proposed zone will be served by a spur track of the Missouri Pacific Railway. The Zone will be served by air lines operating on the Municipal Airport.

The initial zone area will comprise some 125,000 square feet, of which 37,500 will be covered by a one-story building, 100′ x 350′, with balcony, to be divided into sections for storing, grading, packing, repacking, and other manipulations; rooms for refrigeration, and rooms for fumigation. An adjacent area of approximately 4½ acres is available for future expansion.

This public hearing is solely for the purpose of obtaining in the most direct manner the facts useful to the Foreign-Trade Zones Board. The immediate concern of the Examiners' Committee is to determine whether or not the facilities and appurtenances which it is proposed to provide are sufficient. Particular attention is called to the fact that the instant application is the only one to be considered at this time. The question of its suitability is up for discussion, not the suitability of some other site.

All interested parties are invited to be present or represented at the hearing; particularly those who may be affected by the proposed grant. An opportunity to be heard (either in person or by duly appointed representatives; either by appearance or by sending a written or telegraphic statement) will be given to persons or groups who have manifested their interest in this application by complying with the following simple requirements:

1. A written or telegraphic request for an opportunity to be heard shall be filed before noon on July 1st, 1949, at the office of the Examiners' Committee, in care of the San Antonio Chamber of Commerce, 700 Insurance Building, San Antonio, Texas, or at the office of the Executive Secretary of the Foreign-Trade Zones Board, Room 2036, Commerce Building, Washington 25, D. C., and shall indicate the number of witnesses, the general character of evidence and the approximate amount of time required.

2. Such request shall include (a) the name of any persons seeking to speak at the hearing, and (b) the persons or groups he represents.

In the discretion of the Examiners' Committee, persons who have not complied with the foregoing may be permitted, at any time prior to the closing of the hearing, to file written statements in quadruplicate regarding the application under consideration. Such written statements should be condensed as much as possible, but is not to be regarded as necessary. For accuracy of record, and for file with the report and recommendations of the Examiners' Committee, all important facts and arguments should be submitted in writing; as these, together with the record, will be forwarded for consideration by the Foreign-Trade Zones Board in Washington.

You are requested to communicate the foregoing to any person known by you to be interested in the matter who, not being known to this Committee, does not receive a copy of this notice.

[SEAL] THOS. E. LYONS,
Chairman, Examiners' Committee,
U. S. Department of Commerce.

[F. R. Doc. 49-4693; Filed, June 10, 1949; 8:47 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. SR-1944]

JOSEPH B. KUHN

NOTICE OF ORAL ARGUMENT

In the matter of D. W. Rentzel, Administrator of Civil Aeronautics, Complainant, vs. Joseph B. Kuhn, Respondent.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 1004 (a) of said act, that oral argument in this case is assigned to be heard June 27, 1949, at 10:00 a. m., d. s. t., in Room 5042, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., June 7, 1949.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 49-4703; Filed, June 10, 1949; 8:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2128]

OKLAHOMA GAS AND ELECTRIC CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION AND GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 7th day of June 1949.

Oklahoma Gas and Electric Company ("Oklahoma"), a subsidiary of Standard Gas and Electric Company, a registered holding company, having filed an application and an amendment thereto pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 ("act") and Rule U-50 promulgated thereunder, regarding the issuance and sale, pursuant to the competitive bidding requirements of said Rule U-50, of $10,000,000 principal amount of First Mortgage Bonds, Series due June 1, 1979; and

The Commission, by order dated May 26, 1949, having granted said application subject, among other things, to the condition that the proposed issue and sale of said Bonds shall not be consummated until the results of competitive bidding pursuant to Rule U-50 shall have been made a matter of record in these proceedings and a further order shall have been entered by the Commission in the light of the record so completed, which order may contain such further terms and conditions as may then be deemed appropriate; and

Oklahoma, on June 7, 1949, having filed a further amendment to its amended application setting forth the action taken by it to comply with the requirements of Rule U-50 and stating that pursuant to the invitation for competitive bids the following bids were received:

Bidder (designated by asterisk) or bidding group headed by—	Coupon rate	Price to company [1]	Cost of money to company
	Percent	*Percent*	*Percent*
Halsey, Stuart & Co., Inc.	3	101.4445	2.927325
The First Boston Corp.	3	101.316	2.933736
Harriman Ripley & Co., Inc., and Union Securities Corp.*	3	101.164	2.941330
Merrill Lynch, Pierce, Fenner & Beane and White, Weld & Co.	3	101.091	2.944986
Lehman Bros. and Blyth & Co., Inc.	3	100.9299	2.953061
Equitable Securities Corp.	3	100.922	2.953457

[1] Plus accrued interest from June 1, 1949, to the date of delivery of and payment for the bonds.

Oklahoma having stated that it has accepted the bid of Halsey, Stuart & Co., Inc., and that the Bonds are to be offered to the public at a price of 101.99% of the principal amount, plus accrued interest from June 1, 1949, resulting in an underwriters' spread of 0.5455%; and

The Commission having examined the amendment herein filed on June 7, 1949, and having considered the record herein and finding no basis for imposing terms and conditions with respect to the price to be received for the Bonds, the underwriters' spread or otherwise, and it appearing appropriate to the Commission that jurisdiction heretofore reserved to consider the results of the competitive bidding be released:

It is ordered, That jurisdiction heretofore reserved to consider the results of the competitive bidding with respect to the issuance and sale of said Bonds be, and hereby is, released and that said application as amended, be, and hereby is, granted, to be effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49-4695; Filed, June 10, 1949; 8:47 a. m.]

[File No. 812-592]

INVESTMENT TRUST OF BOSTON ET AL.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 7th day of June A. D. 1949.

In the matter of Investment Trust of Boston, Sheraton Corporation of America, Bancroft Hotel Corporation, Copley Square Trust, Newbury Street Garage Company, Post Office Square Company, The Sheraton, Incorporated, File No. 812-592.

Notice is hereby given that Investment Trust of Boston and Sheraton Corporation of America (Sheraton) have filed an application pursuant to section 17 (b) of the Investment Company Act of 1940 for an order exempting from the provisions of section 17 (a) (2) of the act the proposed purchase by Sheraton from Investment Trust of Boston of the following shares of capital stock of the following subsidiaries of Sheraton:

435 shares of Bancroft Hotel Corp. Class A.
150 shares of Copley Square Trust.
259 shares of Newbury Street Garage Co.
6,000 shares of Post Office Square Co.
550 shares of The Sheraton, Inc.
129 shares of Copley Square Trust, $5 Cumulative Prior Preferred ($100 par).

at prices based on the bid prices reported in the over-the-counter market on April 1, 1949.

Section 17 (a) (2) of the act, among other things, makes it unlawful for an affiliated person of a registered investment company, acting as principal, knowingly to purchase any security or other property from such registered investment company, except securities of which the seller is the issuer.

Investment Trust of Boston is an open-end, non-diversified, management investment company registered under the act. Sheraton is primarily engaged in owning, controlling and managing real estate companies and enterprises.

Ernest Henderson, George B. Henderson and Robert L. Moore are the trustees of Investment Trust of Boston. Ernest Henderson is President and a director, George B. Henderson is Secretary and a director and Robert L. Moore is Vice-President and a director of Sheraton. Ernest Henderson, George B. Henderson and Robert L. Moore directly, as individuals, and indirectly, as members of the partnership of Henderson Brothers, own in excess of 5% of the outstanding voting securities of Sheraton. On the basis of these facts the application describes Sheraton as an affiliated person of Investment Trust of Boston. Under these circumstances the proposed purchase of securities by Sher-

aton from Investment Trust of Boston involves the purchase by an affiliated person of a registered investment company of securities from such registered investment company. The application, therefore, requests an order of the Commission exempting the proposed transaction from the provisions of section 17 (a) (2) of the act.

For a more detailed statement of the matters of fact and law asserted, all persons are referred to said application, as amended, which is on file in the office of the Commission in Washington, D. C.

Notice is further given that an order granting the application, in whole or in part and upon such conditions as the Commission may deem necessary or appropriate, may be issued by the Commission at any time after June 17, 1949, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than June 15, 1949, at 5:30 p. m., submit to the Commission in writing has views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 49-4696; Filed, June 10, 1949; 8:47 a. m.]

UNITED STATES TARIFF COMMISSION

[List No. 206]

AMERICAN DENTAL TRADE ASSN. ET AL.

APPLICATION FOR INVESTIGATION

JUNE 8, 1949.

Application as listed below has been filed with the United States Tariff Commission for investigation under the provisions of section 336 of the Tariff Act of 1930.

Name of article	Purpose of request	Date received	Name and address of applicant
Dental burs (par. 359, Tariff Act of 1930).	Increase in duty.....	June 3, 1949	R. J. de Trey, Chairman American Dental Trade Association, 1010 Vermont Ave. NW., Washington 5, D. C. Filed on behalf of S. S. White Dental Mfg. Co., Philadelphia, Pa.; The Ransom & Randolph Co., Toledo, Ohio; Lee S. Smith & Son, Mfg. Co., Pittsburgh, Pa.

The application listed above is available for public inspection at the office of the Secretary, Tariff Commission Building, Eighth and E Streets, N. W., Washington, D. C., and also in the New York Office of the Tariff Commission, located in Room 437 of the Custom House, where it may be read and copied by persons interested.

[SEAL] SIDNEY MORGAN,
Secretary.

[F. R. Doc. 49-4699; Filed, June 10, 1949; 8:48 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 13327]

JOHANNA GERICKE

In re: Estate of Johanna Gericke. File D-28-12515, E. T. sec. 16723.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Carl Rapzinsky, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the Estate of Johanna Gericke, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by T. E. Kuehl, Lamberton, Redwood County, Minnesota, as Administrator, acting under the judicial supervision of the Probate Court of Redwood County, Minnesota.

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 49-4707; Filed, June 10, 1949; 8:51 a. m.]

[Vesting Order 13351]

BANKHAUS PAUL SCHAUSEIL & CO.

In re: Bonds and other property owned by Bankhaus Paul Schauseil & Company. F-28-2052-A-3; E-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Bankhaus Paul Schauseil & Company, the last known address of which is Schleissfach 155, Halle, 1, (Saale) Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Those certain bonds described in Exhibit A, attached hereto and by reference made a part hereof, presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in a safekeeping account numbered F 86034, entitled Bankhaus Paul Schauseil & Company, Halle a/s, Germany, Clients Account, together with any and all rights thereunder and thereto,

b. Those certain shares of stock evidenced by certificates described in Exhibit B, attached hereto and by reference made a part hereof, registered in the names of the persons set forth in Exhibit B and presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in a safekeeping account numbered F 86034, entitled Bankhaus Paul Schauseil & Company, Halle a/s, Germany, Clients Account, together with all declared and unpaid dividends thereon, and

c. Seven (7) coupons detached from German Government Intl. 5½% Bond, numbered C 30775, presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, in a safekeeping account numbered F 86034, entitled Bankhaus Paul Schauseil & Company, Halle a/s, Germany, Clients Account, together with any and all rights thereunder and thereto,

subject to any lien against, or other security interest in, the aforesaid property held by The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, is property within the United States owned or controlled by,

payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

3. That the property described as follows: That certain debt or other obligation owing to Bankhaus Paul Schauseil & Company by Prague Credit Bank, New York Agency, 67–69 William Street, New York 5, New York, arising out of a Dollar Account entitled Bankhaus Paul Schauseil & Company, Halle an der Saale Germany, maintained at the aforesaid Prague Credit Bank, New York Agency, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Bankhaus Paul Schauseil & Company, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A—BONDS

Description of issue	Face value	Bonds Nos.
German Government International 5½% Loan of 1930 Bond	$1,000.00	C 30775
City of Rome, Italy External S/F, G/B, 6½% Bond	1,000.00	17141

EXHIBIT B—STOCK

Name and address of issuing corporation	State of incorporation	Certificate No.	Number of shares	Par value	Type of stock	Registered owner
Baltimore & Ohio R. R., B. & O. Bldg., Baltimore, Md.	Maryland	D 296274	10	$100	Common	Egger & Co.
W. J. Dyer & Bro., 450 East 6th St., St. Paul, Minn.		478	12		Cumulative preferred	Lee & Co.
Missouri Pacific R. R., Missouri Pacific Bldg., St. Louis 3, Mo.	Missouri	075545	6	100	do	Egger & Co.
Northern Pacific Rwy. Co., 176 East 5th St., St. Paul 1, Minn.	Minnesota	C 372481	20	100	Capital	Do.
		B 217295	10	100	do	Do.
		B 217296	10	100	do	Do.
Ritchie Gold Mines, Ltd., Toronto, Ontario, Canada	Canada	680	1,000		do	Dorothea Puschner.
		679	1,000		do	Josef Puschner.

[F. R. Doc. 49–4709; Filed, June 10, 1949; 8:51 a. m.]

[Vesting Order 13343]

SEBASTIAN ROSSMAIER

In re: Estate of Sebastian Rossmaier, deceased. File D–28–12276; E. T. sec. 16504.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Karl Rossmaier, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person identified in subparagraph 1 hereof in and to the estate of Sebastian Rossmaier, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Janet C. Volk, as administratrix, acting under the judicial supervision of the Hudson County Court, Probate Division, New Jersey;

and it is hereby determined:

4. That to the extent that the person identified in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49–4708; Filed, June 10, 1949; 8:51 a. m.]

[Vesting Order 13357]

MARY KILL

In re: Bank account owned by Mary Kill, also known as Mary Neddersen Kill and as Mary Catherine Kill. F–28–29777–E–1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mary Kill, also known as Mary Neddersen Kill and as Mary Catherine Kill, whose last known address is c/o Neddersen, Tostedt, Kreis Harburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Mary Kill also known as Mary Neddersen Kill and as Mary Catherine Kill, by Hoboken Bank For Savings, Hoboken, New Jersey, arising out of a savings account, account numbered 244431, entitled Mary (Neddersen) Kill, maintained at the said bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or other-

wise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4711; Filed, June 10, 1949; 8:51 a. m.]

[Vesting Order 13356]

HEINRICH KERBER

In re: Bank account owned by Heinrich Kerber. F-28-30074-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Heinrich Kerber, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Heinrich Kerber, by East River Savings Bank, 26 Cortlandt Street, New York, New York, arising out of a savings account, account number 53241, entitled Heinrich Kerber, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4710; Filed, June 10, 1949; 8:51 a. m.]

[Vesting Order 13358]

GIICHI KITAGAWA

In re: Stock owned by Giichi Kitagawa. D-39-19231-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Giichi Kitagawa, whose last known address is Wakayama, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: Fifty (50) shares of $5 par value common capital stock of Utah-Idaho Sugar Company, a corporation organized under the laws of the State of Utah, evidenced by certificate numbered C-24975, registered in the name of Giichi Kitagawa, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4712; Filed, June 10, 1949; 8:51 a. m.]

[Vesting Order 13359]

SHOSAKU KOINUMA

In re: Bank account owned by Shosaku Koinuma, also known as Shosaku Koimma. F-39-5397.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Shosaku Koinuma, also known as Shosaku Koimma, whose last known address is Utsunomiya, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation, arising out of a postal savings account, account number 13128, maintained in the name of Shosaku Koimma, with the United States Post Office at Prince Station, New York, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4713; Filed, June 10, 1949; 8:52 a. m.]

[Vesting Order 13361]

MATAICHI OTA

In re: Bank account owned by Mataichi Ota, also known as M. Ota, and Chiye Ota, also known as C. Ota. D-39-11765-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mataichi Ota, also known as M. Ota, and Chiye Ota, also known as C. Ota, each of whose last known address is Okayama, Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation of Bank of America National Trust and Savings Association, 300 Montgomery Street, San Francisco, California, arising out of a checking account, en-

titled C. Ota or M. Ota, maintained at the West Fresno branch office of the aforesaid bank located at 951 F Street, Fresno, California, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Mataichi Ota, also known as M. Ota, and Chiye Ota, also known as C. Ota, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4714; Filed, June 10, 1949; 8:52 a. m.]

[Vesting Order 13362]

SUSANNA PLATT

In re: Cash owned by Susanna Platt, also known as Susanne Platt. F-28-28588-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Susanna Platt, also known as Susanne Platt, whose last known address is 8 Hauptstrasse, Eberbach/Neckar, Heidelberg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Cash in the amount of $1,000.00, presently in the custody of Elsie Heitz, 15 East 26th Street, New York, New York,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidense of ownership or control by, Susanna Platt, also known as Susanne Platt, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 1, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4715; Filed, June 10, 1949; 8:52 a. m.]

[Return Order 351]

RICHARD STERN

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Richard Stern, Strasbourg, France, Claim No. 12248; April 27, 1949 (14 F. R. 2080); $979.66 in the Treasury of the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on June 7, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4720; Filed, June 10, 1949; 8:53 a. m.]

[Return Order 352]

LOUISA FALASCO

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Louisa Falasco, Teramo, Italy, Claim No. 35978; April 27, 1949 (14 F. R. 2080); $400.00 in the Treasury of the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on June 7, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4721; Filed, June 10, 1949; 8:53 a. m.]

ALBERTO TH. BEUTLER

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property and Location

Alberto Th. Beutler, Santiago, Chile; 31415; $2,402.96 in the Treasury of the United States. All right, title, interest and claim of any kind or character whatsoever of Flora Beutler in and to the Estate of Hans G. Beutler, deceased.

Executed at Washington, D. C., on June 7, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4722; Filed, June 10, 1949; 8:53 a. m.]

AMALIA CAMANI

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property and Location

Amalia Camani, a/k/a Amalia Camanni, Blessagna d'Intelvi, Italy; 10472; $7,500.00 in the Treasury of the United States.

Executed at Washington, D. C., on June 7, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4723; Filed, June 10, 1949; 8:53 a. m.]

[Vesting Order 13367]

CARL WILHELM BRABENDER

In re: Safe deposit box owned by Carl Wilhelm Brabender, also known as Wilhelm Brabender. D-28-2861-F-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation:

1. It having been found and determined by Vesting Order 12676 dated January 12, 1949, that Carl Wilhelm Brabender, also known as Wilhelm Brabender, is a national of a designated enemy country (Germany);

2. It is hereby found that the property described as follows:

a. All rights and interests created in Carl Wilhelm Brabender, also known as Wilhelm Brabender, under and by virtue of a safe deposit box lease agreement by and between Carl Wilhelm Brabender, also known as Wilhelm Brabender, and The Chase Safe Deposit Company, 18 Pine Street, New York 5, New York and/or its Metropolitan Branch located at Fourth Avenue at 23rd Street, New York, New York, relating to safe deposit box number 639, located in the vaults of said Metropolitan Branch, including particularly but not limited to the right of access to said safe deposit box, and

b. All property of any nature whatsoever located in the safe deposit box referred to in subparagraph 2 (a) hereof, and all rights and interests evidenced or represented thereby, to the extent not heretofore vested by said Vesting Order 12676.

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on June 6, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4718; Filed, June 10, 1949; 8:52 a. m.]

PIERRE ANDRE LEONACE PANNIER

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Pierre Andre Leonace Pannier, 18 Rue Raffet, Paris XVI, France; 36419; Property to the extent owned by claimant immediately prior to the vesting thereof described in Vesting Order No. 3430 (9 F. R. 6464, June 13, 1944; 9 F. R. 13768, November 17, 1944) relating to the literary work entitled "Maid of Sark" (listed in Exhibit A of said vesting order), including royalties pertaining thereto in the amount of $224.52.

Executed at Washington, D. C., on June 7, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4724; Filed, June 10, 1949; 8:53 a. m.]

MAX ALAN SCHWENDEMANN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Max Alan Schwendemann, 1 Chemin Du Grand Praz, Lausanne, Switzerland; 36639; property to the extent owned by the claimant immediately prior to the vesting thereof described in Vesting Order No. 3430 (9 F. R. 6464, June 13, 1944; 9 F. R. 13768, November 17, 1944) relating to the literary work "Masters of the Chessboard" (listed in Exhibit A of said vesting order), including royalties pertaining thereto in the amount of $456.95.

Executed at Washington, D. C., on June 7, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4725; Filed, June 10, 1949; 8:54 a. m.]

A. W. SIJTHOFFS

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

A. W. Sijthoff's Uitgeversmaatschappij N. V., Doezastraat 1, Leiden, The Netherlands; 6940; Property to the extent owned by claimant immediately prior to the vesting thereof, described in Vesting Order No. 4034 (9 F. R. 13781, November 17, 1944) relating to the literary work "A Short History of Music" (listed in Exhibit A of said vesting order), including royalties pertaining thereto in the amount of $113.33.

Executed at Washington, D. C., on June 7, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4726; Filed, June 10, 1949; 8:54 a. m.]

SOCIETE D'APPAREILS DE CONTROLE ET D'EQUIPEMENT DE MOTEURS

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Societe d'Appareils de Controle et d'Equipement de Moteurs, Neuilly-sur-Seine, France; 28215; Property described in Vesting Order No. 293 (7 F. R. 9836, November 26, 1942) relating to Patent Application Ser. No. 397,812 (now U. S. Letters Patent No. 2,350,791).

Executed at Washington, D. C., on June 7, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-4727; Filed, June 10, 1949; 8:54 a. m.]